

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED - GR

August 11, 2009 4:27 PM

TRACEY CORDES, CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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MICHIGAN PROTECTION &
ADVOCACY SERVICE, INC.,

Hon. Gordon J. Quist

Case No: 1:08-cv-888

Plaintiff

**STIPULATED MOTION AND ORDER
AMENDING CASE MANAGEMENT
ORDER**

v

GARY ROSEMA, in his official capacity
as the SHERIFF OF OTTAWA COUNTY,

Defendant.

Gabrielle S. Frampton (P-59499)
MICHIGAN PROTECTION &
ADVOCACY SERVICE, INC.
Attorney for Plaintiffs
4095 Legacy Parkway – Suite 500
Lansing, MI 48911
(517) 487-1755

Douglas W. Van Essen (P33169)
SILVER & VAN ESSEN, P.C.
Attorneys for Defendant
116 Ottawa Avenue N.W.
Grand Rapids, MI 49503
(616) 988-5600

Michigan Protection and Advocacy, by the undersigned counsel and Ottawa County Sheriff Gary Rosema, by his counsel, agree to the following:

1. The parties are in the process of exchanging information that they hope will resolve the remaining issues in the case, but need sixty (60) days to complete that process.
2. If unsuccessful, the parties will need thirty (30) days to select, schedule and complete facilitative mediation.

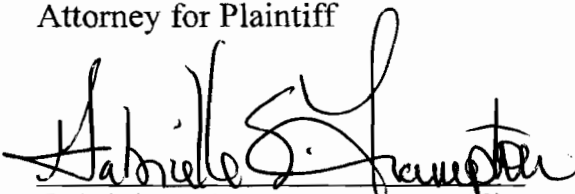
3. The November 28, 2008, Case Management Order required the parties to disclose the name of their facilitative mediator within 10 calendar days and for facilitative mediation to occur by January 30, 2009. A dispositive motion was filed by the Defendant in early December of 2008 and the resolution of that motion and subsequent discussions have been productive in simplifying or perhaps even resolving the matter.

4. The parties request a modification of the Case Management Order to require the naming of a facilitator within sixty (60) days of the entry of the Amended Order and completion of facilitative mediation within ninety (90) days of the Amended Order.

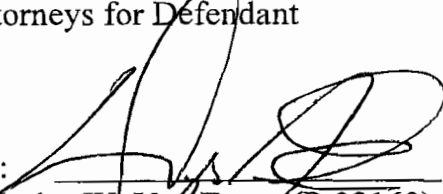
5. The parties approve the form and content of the attached Order for entry by the Court.

August 7, 2009

MICHIGAN PROTECTION &
ADVOCACY SERVICE, INC.
Attorney for Plaintiff

By: 
Gabrielle S. Frampton (P-59499)
4095 Legacy Parkway – Suite 500
Lansing, MI 48911

SILVER & VAN ESSEN, P.C.
Attorneys for Defendant

By: 
Douglas W. Van Essen (P-33169)
116 Ottawa Avenue N.W.
Grand Rapids, MI 49503

ORDER

Upon the stipulated Motion of the parties,

IT IS HEREBY ORDERED that the November 28, 2008, Case Management Order is modified to permit the parties to conduct the VFM no later than _____, 2009.

Dated: August __, 2009

Gordon J. Quist
UNITED STATES DISTRICT JUDGE